

# **EXHIBIT 170**

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,  
MASSACHUSETTS,  
WASHINGTON, COLORADO,  
CONNECTICUT, DELAWARE,  
DISTRICT OF COLUMBIA,  
HAWAII, ILLINOIS, IOWA, NEW  
MEXICO, NORTH CAROLINA,  
OREGON, PENNSYLVANIA,  
RHODE ISLAND, VERMONT, and  
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official capacity as President of the United States; U.S. DEPARTMENT OF HOMELAND SECURITY; ELAINE C. DUKE, in her official capacity; U.S. CITIZENSHIP AND IMMIGRATION SERVICES; U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT; and the UNITED STATES OF AMERICA,

CIVIL ACTION NO. 1:17-cv-05228  
(NGG) (JO)

Defendants.

**Declaration of Jonathan Schwartz**

Pursuant to 28 U.S.C. § 1746(2), I, Jonathan Schwartz, hereby declare as follows:

1. I am over the age of eighteen and competent to testify.
2. I am the Chief Legal & Corporate Affairs Officer at Univision Communications Inc. (Univision). I have been employed by Univision since 2012. In my role, I oversee the Legal & Corporate Affairs Department, which includes the following areas: Legal and Business Affairs, Corporate Compliance, Government Relations, Corporate Social Responsibility, Community Empowerment, Global Security, Media Rights Management & Content Protection, Standards & Practices, and Advertising Review.
3. Univision is the leading media company serving Hispanic America and the rising multicultural mainstream of the United States. Univision's workforce reflects the audience it serves, including DACA beneficiaries, their families, and their communities. The government's decision to terminate DACA means that a segment of Univision's employees will eventually lose their work authorization. As a direct consequence of the government's decision, therefore, Univision will lose the benefit of these employees' immeasurable contributions to the Company. And because these employees uniquely contribute to Univision's operations, the Company cannot adequately replace them. Moreover, in hiring and training replacements, Univision will incur both business disruptions and financial losses. Additionally, the loss of DACA beneficiaries in our workforce will result in significant harm in the form of diminished connection with the communities we serve and reduced diversity of thought and point of view in the content we produce.
4. Univision employs approximately 800 employees in the state of New York, and a total of approximately 4,630 employees across the country in our corporate, network, local TV, radio, and digital operations. Univision's mission is to inform, empower, and entertain the Hispanic American population and rising multicultural mainstream.
5. Univision began as a small Spanish-language TV station in San Antonio, Texas. Over its more than 50-year history, Univision's broadcast and cable TV, digital, and radio offerings have grown to become the foremost destination for Hispanic America and the rising multicultural mainstream, reaching an estimated 108 million average monthly-unduplicated media consumers. We engage audiences via our portfolio of 123 local TV and radio stations (in Arizona, California, Florida, Illinois, New York, North Carolina and Texas, among other states), and 17 broadcast, cable and digital networks and partnerships. In recent years, we have expanded our efforts to reach English speaking Hispanics and young multicultural audiences through our investment in the El Rey network and the launch of the Fusion Media Group, which includes such properties as FusionTV, the Gizmodo Media Group (and its digital-first platforms Gizmodo, Jalopnik, Jezebel, Deadspin, Lifehacker, Kotaku, Splinter, and the Root), and a stake in The Onion.

6. Univision has a unique relationship with its audience, whose members rely on us for news and information on critical matters such as immigration and DACA. Univision's news content has often been described as a "lifeline" for the Hispanic community. In addition, Univision provides a platform for—and gives a voice to—traditionally underrepresented communities in America. We do this through not only our media properties, but also through our Corporate Social Responsibility (CSR) and Social Impact initiatives. Among Univision's CSR priorities are several projects focused on education and youth development, informing and empowering Hispanic America through a multitude of health and wellness initiatives, increasing diversity in media, and providing training opportunities for young people to learn coding and other necessary skills to enter STEAM (science, technology, engineering, art, and math) careers.
7. Univision may have up to 60 employees, ranging across our entire company, who are beneficiaries of the DACA program and affected by the government's decision. (Like many other companies, Univision has not yet been able to confirm the exact number of its employees who have DACA status.) From the talent in front of and behind the camera, to the sharp creative minds that make our business run, to energized interns who are the Company's future – hard-working DACA beneficiaries are essential to creating and disseminating the news, entertainment, and services that Univision provides to millions of Americans every day.
8. Univision engages in expressive activity and depends on the unique perspectives and creative contributions of its content producers and the employees who support them. Some of Univision's DACA beneficiary employees are directly involved in producing content that helps shape Univision's expressive activity. These employees provide a distinct perspective both as individual voices and because their experiences as individuals who first came to the United States as children give them valuable insights into the culture and issues of interest to many of Univision's viewers. Their experiences as young immigrants help Univision better serve both the immigrant and non-immigrant communities that make up Univision's core audiences. The value of these employees to Univision thus goes well beyond their economic contributions.
9. As a news operation, Univision will be harmed by the elimination of DACA. The ending of the program will make DACA beneficiaries, including DACA beneficiaries with family members who may be in the United States without status, less likely to come forward to appear on news programs, provide commentary on public affairs, and otherwise speak up on such issues as social justice and community affairs for fear that they or their families may be deported. This would not only hamper news coverage but, as seen in other countries, create a dearth of reliable information, lead to the dissemination of misinformation, and stifle the award-winning efforts of Univision's investigative journalism teams.

10. Congress has recognized the unique importance of having the world's most talented journalists working in the United States, regardless of their country of birth, in providing for media and employment-based visas. Univision can avail itself of these visa processes if it seeks to hire a journalist from any other country in the world. But with the rescission of DACA, Univision will not be able to avail itself of these processes with respect to the skilled young persons who are already living in the United States with DACA status, even though they have unique talents and abilities and have been trained at our colleges and universities and have received U.S. journalism degrees. Without DACA, Univision would be unable to hire journalists from this talented set of individuals.
11. For all these reasons, Univision stands by the hundreds of thousands of young people—including our own DACA beneficiary employees—who are impacted by the government's decision to terminate DACA. They have done everything asked of them by the government under DACA; they are active and contributing members of society who go to school, serve in the military, and work in thousands of civilian jobs—including at Univision—across our nation. Simply put, they should be able to stay in the United States—the only country most of them have ever known.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 3rd day of October 2017.



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Jonathan Schwartz, Esq.